

Kansas Department of Agriculture  
 Division of Water Resources  
**PERMIT OF NEW APPLICATION WORKSHEET**

1. File Number: <b>49542</b>	2. Status Change Date: <i>2/17/2017</i>	3. Field Office: <b>03</b>	4. GMD: <b>0</b>
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5. Status:  Approved     Denied by DWR/GMD     Dismiss by Request/Failure to Return

6. Enclosures:  Check Valve     N of C Form     Water Tube     Driller Copy     Meter

7a. Applicant(s)    Person ID 63782  
 New to system     Add Seq# \_\_\_\_\_

**SCOTT SPROUL  
 22242 RD E3  
 EDMOND KS 67645**

7c. Landowner(s)    Person ID \_\_\_\_\_  
 New to system     Add Seq# \_\_\_\_\_

7b. Landowner(s)    Person ID 60553  
 New to system     Add Seq# \_\_\_\_\_

**CHERYL L SCOTT  
 21725 ROAD E2  
 LENORA KS 67645**

7d. Misc    Person ID \_\_\_\_\_  
 New to system     Add Seq# \_\_\_\_\_

8. WUR Correspondent    Person ID \_\_\_\_\_  
 New to system     Add Seq# \_\_\_\_\_  
 Overlap File (s) WUC    Notarized WUC Form   
 Agree  Yes  No  
**7a**

9. Use of Water: Changing?  Yes  No  
 Groundwater     Surface Water  
 IRR     REC     DEW     MUN  
 STK     SED     DOM     CON  
 HYD DRG     WTR PWR     ART RECHR  
 IND SIC: \_\_\_\_\_     OTHER: \_\_\_\_\_

10. Completion Date: 12/31/2018    11. Perfection Date: 12/31/2022    12. Exp Date: \_\_\_\_\_

13. Conservation Plan Required?  Yes  No Date Required: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Date to Comply: \_\_\_\_\_

14. Water Level Measuring Device?  Yes  No Date to Comply: \_\_\_\_\_ Date WLMD Installed: \_\_\_\_\_

Date Prepared: **2/1/17**    By: **KAB**  
 Date Entered: *2/20/2017*    By: *LCM*

File No. **49542**      15. Formation Code: 211      Drainage Basin: <sup>28</sup> **Prairie Dog Creek**      County: **NT**      Special Use:      Stream:

MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD	79220			NW NW NE	1	4S	24W	1	4707	1995 GeoC
MOD	82090			NW NW NE	1	4S	24W	2	4807	1995 1of4
MOD	82091			SW NW NE	1	4S	24W	3	4607	1995 2of4
MOD	82092			NW NW NE	1	4S	24W	4	4707	2095 3of4
MOD	82093			NE NW NE	1	4S	24W	5	4707	1895 4of4
DEL	84969									Battery ID#1670

Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
800	34	800	34	none

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required?  Yes  No      To be installed by **12/31/2018**      Date Acceptable Meter Installed \_\_\_\_\_

MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
								NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CK	62458			1	4S	24W	1	11.5	11.5														23	7b	no	none	

Comments: **This application replaces Dismissed File No. 47976**

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** February 1, 2017

**FROM:** Kristen Baum

**RE:** Application, File No. 49,542

Scott Sproul has filed the referenced application to appropriate 34 acre-feet of groundwater at a diversion rate of 800 gallons per minute for irrigation use. The proposed point of diversion is a battery of four (4) wells with a geocenter located in the Northeast Quarter of Section 1, Township 4 South, Range 24 West, Norton County, Kansas. The proposed appropriation is located within the Prairie Dog Creek River Basin and the source of supply will be the Ogallala Formation. The 23 acre place of use and point of diversion are both owned by Cheryl Scott, and the application form has been signed affirming legal access to the point of diversion.

The requested quantity of 34 acre-feet applied to 23 acres will provide 1.48 acre-feet per acre, which is only slightly less than the maximum reasonable quantity for irrigation use in Norton County, per K.A.R. 5-3-24. Therefore, the quantity appears to be reasonable.

This application was filed prior to issuance of the Guidance Document regarding applications impacting Kansas compliance with the Republican River Compact (RRC). Thus, it can be further processed subject to safe yield as described in K.A.R. 5-3-11, which states in part, that the Prairie Dog Creek, its tributaries and their alluviums, and any other aquifer that has a substantial hydraulic connection to an alluvium, have been determined to be fully appropriated based on safe yield criteria, and shall be closed to further new groundwater appropriations. The Division of Water Resources uses the RRC groundwater model to determine whether a substantial hydraulic connection exists. Using the requested quantity of water and specific point of diversion, the model determines the potential impact to streamflow, and the value selected by the Chief Engineer to represent a substantial hydraulic connection is an average annual impact greater than 10 acre-feet. Based on the model run, this application would have a potential impact of 10.0 acre-feet, and can be further processed.

The proposed point of diversion must also comply with K.A.R. 5-3-11 safe yield evaluation based on the area of consideration (extent of unconfined aquifer) within a 2-mile circle, calculated recharge quantity, and the extent of recharge available in that basin. Using an 8,042 acre area of consideration (the entire 2-mile circle) and a potential recharge of 0.94 inches with 75% available for appropriation, safe yield was determined to be 472.47 acre-feet. Existing water rights have appropriated 50.0 acre-feet within the area of consideration, providing a difference of 422.47 acre-feet available for appropriation. Thus there is a sufficient quantity of water available for appropriation, and the application meets all safe yield criteria.

One domestic well was identified by the applicant within one-half mile of the proposed point of diversion. The well owner was notified of the applicant's intention to appropriate groundwater in a letter dated January 5, 2017. No response of any kind was received. This domestic well is located approximately 2,100 feet to the east. According to the WRIS database, the nearest non-domestic well is the applicants other pending application (File No. 49,543) located approximately 5,800 feet to the southeast. Thus, the proposed point of diversion meets minimum well spacing criteria to all existing wells per the requirements in K.A.R. 5-4-4.

Kelly Stewart, Water Commissioner for the Stockton Field Office, recommended approval of the referenced application in an e-mail. Well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. Based on the above discussion, it is recommended that the referenced application be approved.



Kristen A. Baum  
Environmental Scientist  
Permits Unit

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

February 22, 2017

SCOTT SPROUL  
22242 RD E3  
EDMOND KS 67645

**FILE COPY**

Re: Appropriation of Water, File Nos. 49,542 and 49,543

Dear Sir or Madam:

There are enclosed permits to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the sources and at the locations specified in these permits, and to use it for the purpose and at the location described in these permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in these permits to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number.

There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.

Change Application Unit Supervisor  
Water Appropriation Program

BAT:kab

Enclosures

pc: Stockton Field Office  
Cheryl Scott

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION**  
**and**  
**PERMIT TO PROCEED** **FILE COPY**  
(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,542** of the applicant

**SCOTT SPROUL**  
**22242 RD E3**  
**EDMOND KS 67645**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **January 20, 2016**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 4S 24W	11.5	11.5															23

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographical center located in the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW¼ NW¼ NE¼) of Section 1, more particularly described as being near a point 4,707 feet North and 1,995 feet West of the Southeast corner of said section, in Township 4 South, Range 24 West, Norton County, Kansas located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **34 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

18. That this permit is further limited such that all four (4) wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply and be limited to a total maximum diversion rate not in excess of 800 gallons per minute (1.78 c.f.s.).

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

**Request for Hearing.** According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

**Petition for Review.** The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

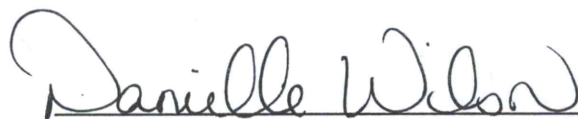
Ordered this 17<sup>th</sup> day of February, 2017, in Topeka, Shawnee County, Kansas.



Lane P. Letourneau, P.G.  
Program Manager  
Water Appropriation Program  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas             )  
   ) SS  
County of Riley            )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of February, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Notary Public

**CERTIFICATE OF SERVICE**

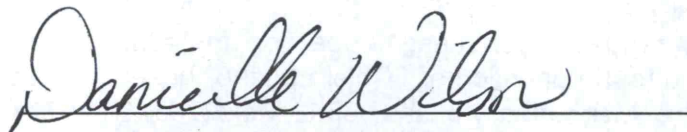
On this *22<sup>nd</sup>* day of *February*, *2017*, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,542, dated *February 17, 2017* was mailed postage prepaid, first class, US mail to the following:

SCOTT SPROUL  
22242 RD E3  
EDMOND KS 67645

With photocopies to:

CHERYL L SCOTT  
21725 ROAD E2  
LENORA KS 67645

Stockton Field Office



Division of Water Resources



## Baum, Kristen

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**From:** Stewart, Kelly  
**Sent:** Thursday, February 2, 2017 9:05 AM  
**To:** Baum, Kristen  
**Cc:** Billinger, Mark; Hageman, Rebecca  
**Subject:** RE: 49,542 & 49,543 - Scott Sproul

Kristen,

I have no objection to the approval of these two applications.

Kelly

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**From:** Baum, Kristen  
**Sent:** Wednesday, February 1, 2017 9:43 AM  
**To:** Stewart, Kelly <Kelly.Stewart@ks.gov>  
**Cc:** Billinger, Mark <Mark.Billinger@ks.gov>  
**Subject:** 49,542 & 49,543 - Scott Sproul

Kelly,

Attached are memos for file nos. 49542 and 49543. These applications are for irrigation in the Prairie Dog Creek basin. These were filed to replace file nos. 47974 and 47976 – if you recall, we received N&P forms for these files last year but determined they weren't actually complete and the deadline for an extension had passed so we dismissed them. Nothing much has changed since they were originally approved. The quantities are low in order to meet RRC restrictions.

Please provide your recommendation.

Thanks,

Kristen A. Baum  
Division of Water Resources – Water Appropriations  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan KS 66502  
(785) 564-6627

My email address has changed: [kristen.baum@ks.gov](mailto:kristen.baum@ks.gov)

THE



STATE

OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49,542  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
RECEIVED

JAN 20 2016

8:25  
KS DEPT OF AGRICULTURE

APPLICATION COMPLETE  
2/1/17  
Reviewer KAB

**APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE**

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): Scott Sproul  
Address: 22242 Rd E3  
City: Edmond State KS Zip Code 67645  
Telephone Number: (785) 871-7778

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Prairie Dog Creek (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 34 acre-feet OR \_\_\_\_\_ gallons per calendar year to be diverted at a maximum rate of 800 gallons per minute OR \_\_\_\_\_ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):  
(a)  Artificial Recharge (b)  Irrigation (c)  Recreational (d)  Water Power  
(e)  Industrial (f)  Municipal (g)  Stockwatering (h)  Sediment Control  
(i)  Domestic (j)  Dewatering (k)  Hydraulic Dredging (l)  Fire Protection  
(m)  Thermal Exchange (n)  Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:  
F.O. 3 GMD 8 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County NT By AJW Date 1/20/16  
Code REG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 1/20/16 Check # 1135

16024802

SCANNED

1/26/2016 UM

4 of 4

NE NW NE 1-4S-24W  
4707 North 1895 West Norton Co

FILE NO. \_\_\_\_\_

5. The location of the proposed wells, pump sites or other works for diversion of water is:

**Note:** For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land. GEO CENTER

Geo center  
(A) One in the NW quarter of the NW quarter of the NE quarter of Section 1, more particularly described as being near a point 4707 feet North and 1995 feet West of the Southeast corner of said section, in Township 4 South, Range 24 West, Norton County, Kansas.

1 of 4  
(B) One in the NW quarter of the NW quarter of the NE quarter of Section 1, more particularly described as being near a point 4807 feet North and 1995 feet West of the Southeast corner of said section, in Township 4S South, Range 24 East/West (circle one), Norton County, Kansas.

2 of 4  
(C) One in the SW quarter of the NW quarter of the NE quarter of Section 1, more particularly described as being near a point 4607 feet North and 1995 feet West of the Southeast corner of said section, in Township 4S South, Range 24 East/West (circle one), Norton County, Kansas.

3 of 4  
(D) One in the NW quarter of the NW quarter of the NE quarter of Section 1, more particularly described as being near a point 4707 feet North and 2095 feet West of the Southeast corner of said section, in Township 4S South, Range 24 East/West (circle one), Norton County, Kansas.

KAB/DWR  
2-1-17

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

Cheryl Scott 21725 Road E2 Edmond Kansas 67645  
(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 19, 20 16

Cheryl L. Scott

Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of a battery of 4 wells  
(number of wells, pumps or dams, etc.)  
and will be completed (by) March 2016 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 2016

(Mo/Day/Year) Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes  No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

9. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?  Yes  No

- If yes, show the Water Structures permit number here \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required none needed

10. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

11. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

none

WATER RESOURCES  
RECEIVED  
JAN 20 2016  
SCANNED  
KS DEPT OF AGRICULTURE

12. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from:  Test holes  Well as completed  Drillers log attached

Well location as shown in paragraph

No.	(A)	(B)	(C)	(D)
Date Drilled	<u>Oct 2015</u>	_____	_____	_____
Total depth of well	<u>295</u>	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

13. The relationship of the applicant to the proposed place where the water will be used is that of Son Operator  
(owner, tenant, agent or otherwise)

14. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Cheryl Scott  
(name, address and telephone number)  
\_\_\_\_\_  
(name, address and telephone number)

15. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, (month) (year)

  
(Applicant Signature)

By operator  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by Scott E. Ross Gen. Mgr WRIS Date: 1-19-2016  
(office/title)

WATER RESOURCES  
RECEIVED  
JAN 20 2016  
DEPT OF AGRICULTURE

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,542

Name of Applicant (Please Print): SCOTT SPRAUL

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record**      NAME: Cheryl Scott  
ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1	45	24w	11.5	11.5														23	

**Landowner of Record**      NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

**Landowner of Record**      NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %	_____	_____

b. Estimate the average land slope in the field(s): \_\_\_\_\_ %

Estimate the maximum land slope in the field(s): \_\_\_\_\_ %

c. Type of irrigation system you propose to use (check one):

- Center pivot                       Center pivot - LEPA                       "Big gun" sprinkler  
 Gravity system (furrows)                       Gravity system (borders)                       Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi
- (2) What is the sprinkler package design rate? \_\_\_\_\_ gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet
- (4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

January 5, 2017

PERSINGER FARMS INC  
18089 ROAD W4  
NORTON KS 67654

Re: Pending Application, File No. 49,542

Dear Sir or Madam:

This is to advise you that Scott Sproul has filed the application referenced above for a permit to appropriate 34 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion will be a battery of wells located as follows:

In the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 1, in Township 4 South, Range 24 West, Norton County, Kansas, and

A map is enclosed for your review and reference. Records in this office indicate that you may have a well or wells in this vicinity so you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter. If you have any questions, please contact me at (785) 564-6627 or [Kristen.Baum@kda.ks.gov](mailto:Kristen.Baum@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

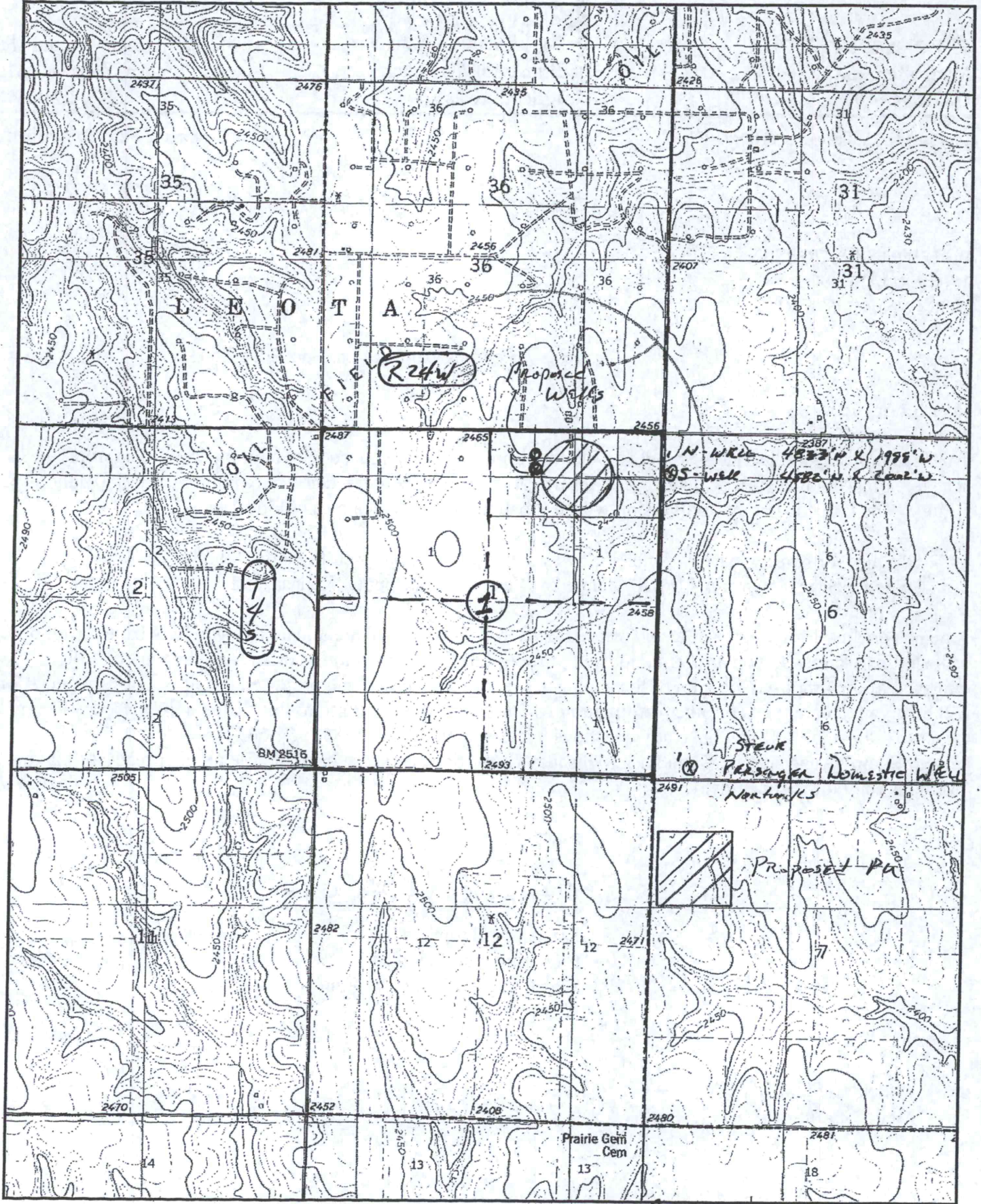
Kristen A. Baum  
Environmental Scientist  
Water Appropriation Program

enclosure

pc: Stockton Field Office  
Scott Sproul

SCANNED





Universal Transverse Mercator (UTM) Projection Zone 14  
North American Datum of 1983

1:24000 scale



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1-19-16

SCANNED JAN 20 2016

49542

**Analysis Results**

The selected PD is in an area to new appropriations.  
The safe yield, based on the variables listed below is 472.47 AF.  
Total prior appropriation in the circle is ~~138.00~~ AF. <sup>56</sup>  
Total quantity of water available for appropriation is 334.47 AF.

→ 422.47 AF available

**Safe Yield Variables**

The area used for the analysis is set at 8,042 acres.  
Potential annual recharge of the area is estimated to be 0.94 inches.  
The percent of recharge available for appropriation is 75%.

Meets safe yield

Authorized Quantity values are as of 03-JAN-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 3 water right(s) and 6 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres	
A 47970	00	IRR	LO	G		NW	NW	NW	5149	4666	18	04	23W	21	WR	50.00	50.00	547.00	0.00
Same		IRR	LO	G		NE	NW	NW	5153	4367	18	04	23W	22	WR				
Same		IRR	LO	G		NE	NW	NW	5189	4092	18	04	23W	23	WR				
Same		IRR	LO	G		NE	NW	NW	5164	4375	18	04	23W	34	WR				
A 49542	00	IRR	AY	G		NW	NW	NE	4707	1995	01	04	24W	7	WR	34.00	<del>34.00</del>	23.00	0.00
A 49543	00	IRR	AY	G		NE	NW	NW	5041	4129	07	04	23W	6	WR	54.00	<del>54.00</del>	36.00	24.00

Safe Yield Report Sheet  
Water Right- A4954200  
Point of Diversion in NENWNW 1-4S-24W 7 (84969)



idx	File	PRIORITY	Use	Modeled Quantity Q, af	Final Quantity Q, af	modeled avg50-yr impact 2050-2069	final avg50-yr impact 2050-2069	avg 50-yr response 2050-2069	reduced quantity with est. 10af impact	Status
136	49423	9-Jul-15	IND	5	5	0.68	0.68	0.1355		Pending
137	49379	30-Apr-15	MUN	192.36	192.36	0.00	0.00	0.0000		Pending
138	49411	18-Jun-15	IRR	54	54	9.72	9.72	0.1800		Pending
139	49412	18-Jun-15	IRR	55	55	9.99	9.99	0.1816		Pending
140	49418	29-Jun-15	REC	5	5	0.00	0.00	0.0000		Pending
141	49428A	20-Jul-15	IRR	195	96	20.23	9.96	0.1037	96	Pending
142	49449	31-Aug-15	IRR	195	195	9.38	9.38	0.0481		Pending
143	49455	8-Sep-15	IRR	240	176	13.61	9.98	0.0567	176	Pending
144	49543	20-Jan-16	IRR	54	54	9.76	9.76	0.1807		Pending
145	49542	20-Jan-16	IRR	34	34	10.00	10.00	0.2942	34	Pending
146	49613	8-Apr-16	IRR	594	594	57.72	57.72	0.0972	103	Pending
147	49740	12-Dec-16	IRR	170.8	170.8	0.00	0.00	0.0000		Pending

sum				15500.91	1711.39	644.35			
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		IRR	21211.65	13602.48	1553.28	560.76	0.0732
		IND	626.60	308.60	14.56	10.70	0.0232
		MUN	1152.36	913.36	38.70	26.10	0.0336
		STK	1242.62	671.47	104.85	46.80	0.0844
sum			24233.23	15495.91	1711.39	644.35	0.0706

*Meets REC restrictions*

summary of applications above thr

criteria
count
sum

q > 10af	q > 10af	q/Q > 0.10
49	18	34
1370.25	234.00	



1320 Research Park Drive  
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700

Fax: (785) 564-6777

Email: ksag@kda.ks.gov

www.agriculture.ks.gov

Sam Brownback, Governor

January 21, 2016

SCOTT SPROUL  
22242 RD E3  
EDMOND KS 67645

RE: Application  
File No. 49542

Dear Sir or Madam:

Your application for permit to appropriate water in 1-4S-24W in Norton County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

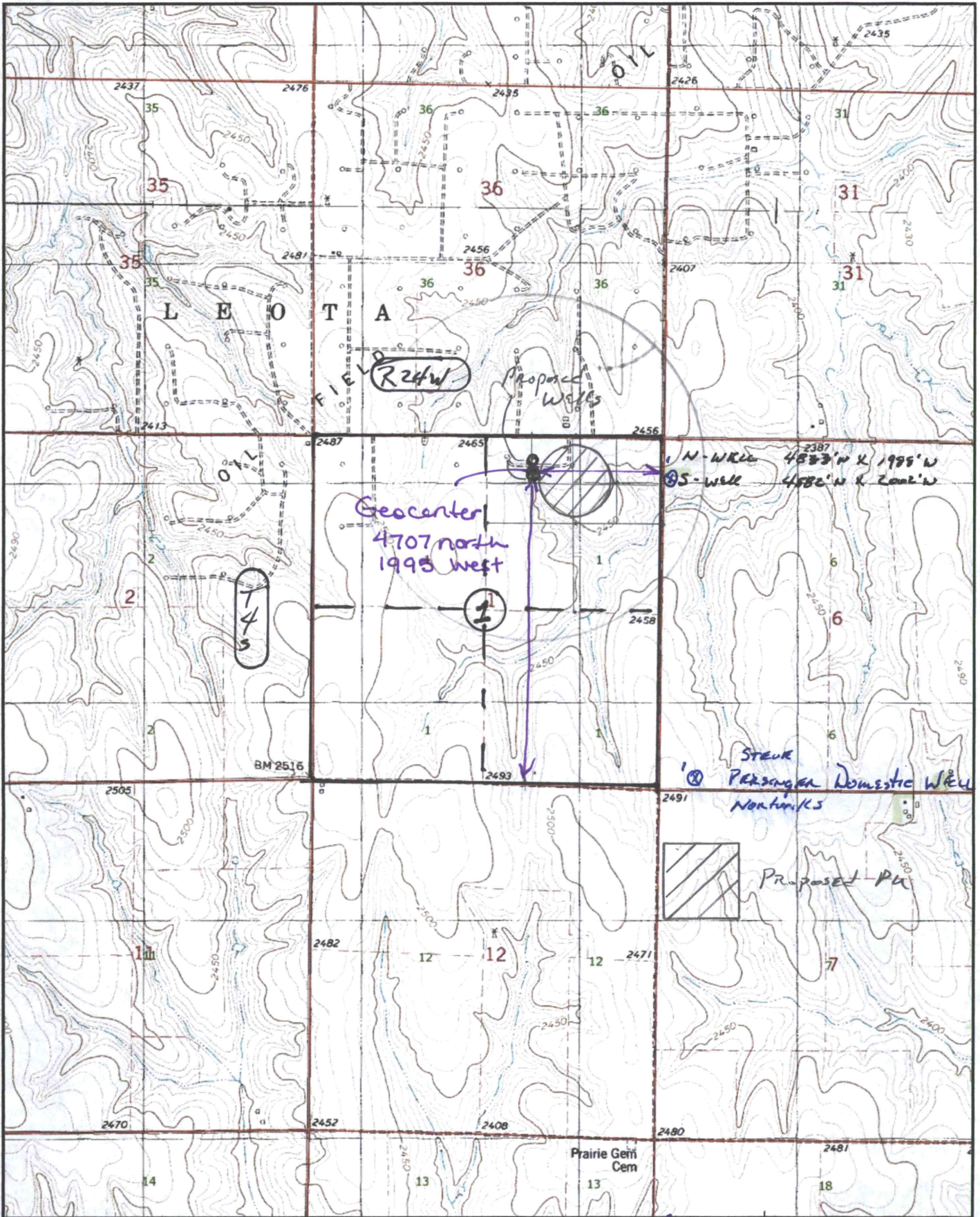
If you have any questions, please contact me at (785) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kenneth A. Kopp, P.G.  
New Application Unit Supervisor  
Water Appropriation Program

KAK: DLW  
pc: STOCKTONField Office  
GMD

SCANNED



Universal Transverse Mercator (UTM) Projection Zone 14  
North American Datum of 1983

1:24000 scale



*Barbara* WATER RESOURCES  
 1-19-16 RECEIVED

SCANNED JAN 20 2016